

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 19-cr-20246
Hon. DENISE PAGE HOOD

vs.

REYAD GAFAR ABBAS,

Defendant.

_____/

TIMOTHY WYSE
U.S. Attorney's Office
211 W. Fort Street; Suite 2001
Detroit, MI 48226
313-226-9144
Email: Timothy.Wyse@usdoj.gov

SANFORD A. SCHULMAN
Attorney for Defendant
REYAD GAFAR ABBAS
500 Griswold Street, Suite 2340
Detroit, Michigan 48226
(313) 963-4740
Email: saschulman@comcast.net

_____/

**DEFENDANT, REYAD GAFAR ABBAS's MOTION TO WAIVE PERSONAL
APPEARANCE AT JUNE 18, 2019 PRETRIAL OR IN THE ALTERNATIVE TO
ALLOW TELEPHONIC PARTICIPATION**

NOW COMES the Defendant, REYAD GAFAR ABBAS, by and through his attorney, SANFORD A. SCHULMAN, and states in support of his Motion to Waive Personal Appearance at June 18, 2019 pretrial, or in the alternative, to allow defendant to participate telephonically as follows:

1. An Indictment was filed on April 18, 2019 charging the defendant, REYAD GAFAR ABBAS, and others, with Count One: Conspiracy to Wire Fraud in violation of 18 USC Sec. 1349; Count Two and Eight: Wire Fraud, Aiding and Abetting in violation of 18 USC Sec. 1343, and 2; Count Three and Nine: Aggravated Identity Theft, Aiding and Abetting in violation of 18 USC Sec. 1028A(a)(1) and (2)/ (R. 1, Indictment)

2. On May 16, 2019 the defendant appeared as directed for an arraignment and was given a \$10,000.00 unsecured bond. (R. 31. Bond)

3. While a trial date of June 18, 2019 was set, it was discussed and anticipated given the amount of discovery that needed to be reviewed and the fact that the Government had not yet provided that discovery, that a trial was unlikely on that date and time. Mr. Abbas was and remains prepared and willing to stipulate to a waiver of his right to a speedy trial.

4. A notice was entered converting the jury trial date to a pretrial and a notice to appear was entered for June 18, 2019 at 9:00 a.m.

5. The defendant resides in Los Angeles, California where he is employed.

6. That the defendant will be terminated from his employment for failure to give sufficient notice if he is required to attend the pretrial. In addition, he has limited resources and the cost of flight, transportation, hotel, etc. will place an undue burden on his.

7. The defendant is planning on meeting with counsel to review the discovery however at this time the Government has not provided the discovery.

8. The defendant, REYAD ABBAS, is prepared to waive his rights pursuant to the Speedy Trial Act.

9. Concurrence with this request has been made to the Government and it appears the Government does not object to the request.

WHEREFORE, the Defendant, REYAD GAFAR ABBAS, by and through his attorney, SANFORD A. SCHULMAN, respectfully requests this Honorable Court grant his Motion to Waive Personal Appearance at June 18, 2019 pretrial, or in the alternative, to allow defendant to participate telephonically for the reasons so stated herein.

Respectfully submitted,

/s/ Sanford A. Schulman
SANFORD A. SCHULMAN
Attorney for Defendant:
REYAD GAFAR ABBAS
500 Griswold Street, Suite 2340
Detroit, Michigan 48226
(313) 963-4740
Email: saschulman@comcast.net

Date: June 13, 2019

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 19-cr-20246
Hon. DENISE PAGE HOOD

vs.

REYAD GAFAR ABBAS,

Defendant.

TIMOTHY WYSE
U.S. Attorney's Office
211 W. Fort Street; Suite 2001
Detroit, MI 48226
313-226-9144
Email: Timothy.Wyse@usdoj.gov

SANFORD A. SCHULMAN
Attorney for Defendant
REYAD GAFAR ABBAS
500 Griswold Street, Suite 2340
Detroit, Michigan 48226
(313) 963-4740
Email: saschulman@comcast.net

**BRIEF IN SUPPORT OF DEFENDANT, REYAD GAFAR ABBAS's MOTION
TO WAIVE PERSONAL APPEARANCE AT JUNE 18, 2019 PRETRIAL OR IN
THE ALTERNATIVE TO ALLOW TELEPHONIC PARTICIPATION**

NOW COMES the Defendant, REYAD GAFAR ABBAS, by and through his attorney, SANFORD A. SCHULMAN, and states in support of his Motion to Waive Personal Appearance at June 18, 2019 pretrial, or in the alternative, to allow defendant to participate telephonically as follows:

STATEMENT OF FACTS

An Indictment was filed on April 18, 2019 charging the defendant, REYAD GAFAR ABBAS, and others, with Count One: Conspiracy to Wire Fraud in violation of 18 USC Sec. 1349; Count Two and Eight: Wire Fraud, Aiding and Abetting in violation of 18 USC Sec. 1343, and 2; Count Three and Nine: Aggravated Identity Theft, Aiding and Abetting in violation of 18 USC Sec. 1028A(a)(1) and (2)/ (R. 1, Indictment).

A jury trial date was initially set for June 18, 2019 but the parties and counsel anticipated a stipulation to adjourn the trial date and waive the speedy trial act. This Court set a pretrial for June 18, 2019 and cancelled the trial date with a notice for the parties to appear.

The defendant is a twenty-three years old and currently resides in the Los Angeles, California area where he is employed. Unfortunately, he was only recently apprised of the notice to appear for the June 18, 2019 pretrial and does not have the resources to pay for a plane ticket and hotel. He is requesting that this court allow him to waive his appearance and if necessary to participate telephonically. He is prepared to waive his right to a Speedy Trial.

ARGUMENT

This Court has the discretion to allow a defendant to waive his appearance at a non-essential pretrial and to allow counsel to appear in his place. United States v. Turner, No. 12-cv-20617, 2015 U.S. Dist. LEXIS 101560 (E.D. Mich. Aug. 4, 2015). The June 18, 2019 pretrial will likely not address any substantive issues, will focus on scheduling and the setting of future dates.

The defendant understands he has a right to a speedy trial and believes it is in his best interest to waive his right to a speedy trial so he can review discovery, file any appropriate motions, explore a possible resolution and prepare for trial.

WHEREFORE, the Defendant, REYAD GAFAR ABBAS, by and through his attorney, SANFORD A. SCHULMAN, respectfully requests this Honorable Court grant his Motion to Waive Personal Appearance at June 18, 2019 pretrial, or in the alternative, to allow defendant to participate telephonically for the reasons so stated herein.

Respectfully submitted,

/s/ Sanford A. Schulman
SANFORD A. SCHULMAN
Attorney for Defendant:
REYAD GAFAR ABBAS
500 Griswold Street, Suite 2340
Detroit, Michigan 48226
(313) 963-4740
Email: saschulman@comcast.net

Date: June 13, 2019